

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DERRICK LEE SMITH, #267009,  
PLAINTIFF,

VS

PATRICIA PENMAN, DETECTIVE WAYNE,  
COUNTY SHERIFF'S DEPARTMENT,  
KIM WORTHY, WAYNE COUNTY PROSECUTOR,  
DEYANA UNIS, ASSISTANT WAYNE COUNTY PROSECUTOR  
MR. ORTIZ, DETECTIVE, SEX CRIMES,

SUZETTE SAMUELS, ASSISTANT PROSECUTOR WAYNE COUNTY  
RITA MCNEAL HOMICIDE DETECTIVE, DAVID COBB, SERGEANT DETROIT  
POLICE DEPARTMENT,  
DEFENDANTS,

\_\_\_\_\_/

PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C 1983

PLAINTIFF HEREBY FILES THIS PRISONER CIVIL RIGHTS COMPLAINT UNDER 42.U.S.C. 1983 CLAIM AGAINST THE DEFENDANTS ABOVE FOR THE FOLLOWING CIVIL RIGHTS VIOLATIONS AND STATES THE FOLLOWING ALLEGATIONS OF FACTS BEING PERPETRATED UPON THE PLAINTIFF DERRICK LEE SMITH BY THE DEFENDANTS IN THE CASE AT BAR WHERE THE DEFENDANTS HAVE CONSPIRED TO DO THE FOLLOWING HORRIFIC ACTS UPON THE PLAINTIFF DERRICK LEE SMITH.

ON 10-23-18, LAW ENFORCEMENT AGENT PATRICIA PENMAN ARRIVED AT THE MUSKEGON CORRECTIONAL FACILITY TO INTERVIEW THE PLAINTIFF ABOUT A CRIME THAT OCCURRED IN 1997 THAT ALLEGEDLY LINKED THE PLAINTIFF DERRICK LEE SMITH TO SAID RAPE KIT FOR THE 1997 OFFENSE.

IT IS THE PLAINTIFFS CONTENTION THAT THE DEFENDANTS, ACTING ON ORDERS OF SUZETTE SAMUELS, ASSISTANT WAYNE COUNTY PROSECUTOR AND

**FILED - GR**

October 29, 2018 12:39 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: \_mko\_ SCANNED BY: *[Signature]* 10/29/18

**1:18-cv-1212**

Janet T. Neff - U.S. District Judge

Ellen S. Carmody - U.S. Magistrate Judge

KIM L. WORTHY, MAIN PROSECUTOR IN WAYNE COUNTY, DID IN FACT KNOWINGLY USED FABRICATED DNA EVIDENCE THAT WAS HELD IN THE DETROIT CRIME LAB SINCE 1997 AND WAS PART OF THE DETROIT CRIME LABS INVENTORY OF MATERIALS AND EVIDENCE THAT WAS TAMPERED WITH BY SGT. DAVID COBB IN 1997 AND 2007 AND 2008 AT WHICH TIME, SGT COBB, HAVING OBTAINED BLOOD, AND DNA SEX CRIMES INVESTIGATOR AND EX-GIRLFRIEND, RITA MCNIEL AND THAT THEY DID IN FACT PLACE SAID SPERM, BLOOD, DNA IN THE RAPE KIT THAT IS NOW THE CENTER OF THE ISSUES INVOLVING DERRICK LEE SMITH, PLAINTIFF, AND THAT THEY HAVE ALL CONSPIRED TO NOT ONLY KNOWINGLY USE FALSE, TAINTED FORENSIC EVIDENCE TO PLACE PLAINTIFF AT THE ALLEGED CRIME, BUT THEY ALSO ARE KNOWINGLY USING IT TO BRING THE PLAINTIFF TO THE CITY OF DETROIT ON A WRIT TO FACE PROSECUTION FOR WHAT THE PLAINTIFF BELIEVES WILL IN FACT BE CAPITAL CRIMES AND OTHER FELONIES OF WHICH THE PLAINTIFF IS IN FACT INNOCENT OF AND THEY WILL BE DOING IT FOR THE MAIN BENEFIT OF RETALIATING AGAINST THE PLAINTIFF BECAUSE THE PLAINTIFF HAS PROVEN THAT THE DEFENDANTS SUZETTE SAMUALS AND PATRICIA PENMAN HAVING KNOWN EACH OTHER AND WORKED TOGETHER IN 2008 THROUGH 2018 DO NOT BELIEVE IN ALLOWING THE PLAINTIFF TO WALK FREE IN SOCIETY AND ARE IN FACT CONSPIRING TO ENSURE THAT HE PLAINTIFF REMAINS IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS BECAUSE THE DEFENDANTS ARE ALL INVOLVED TOGETHER ON CASE 08-8639-01-FC WHICH HAS BEEN PROVEN TO BE A FALSE SENTENCE AND A SENTENCE THAT HAS BEEN ILLEGAL AND SHOWS THAT THE PLAINTIFF HAS BEEN HELD ILLEGALLY FOR THE PAST 10 YEARS IN STATE PRISON ON CHARGES THAT WERE FALSE CHARGED BY DEFENDANT SAMUELS IN 2008, RESULTING IN HORRIFIC VIOLATIONS OF THE PLAINTIFFS CIVIL RIGHTS LIBERTIES.

PLAINTIFF WILL PROVE THAT EACH AND EVERY SINGLE DEFENDANT WORKED AND CONSPIRED TO VIOLATE THE PLAINTIFFS CONSTITUTIONAL RIGHTS FOR THEIR OWN PURPOSES OF ENSURING THE PLAINTIFF IS HELD ILLEGALLY IN THE CUSTODY OF THE MICHIGAN DEPARTMENT OF CORRECTIONS.

THE PLAINTIFF WILL FILE THE PROPER BRIEF IN SUPPORT OF THE COMPLAINT.

(2)

THANK YOU FOR YOUR TIME IN THIS MATTER AND I HOPE TO HEAR FROM YOU SOON.

RESPECTFULLY YOURS,

  
MR. DERRICK LEE SMITH

#267009-3-124A

MUSKEGON CORRECTIONAL FACILITY 2400 S. SHERIDAN DRIVE  
MUSKEGON, MI 49442

THIS IS BEING MAILED ON THE DATE OF 10-25-18 TO THE CLERK OF THE  
COURT-U.S. DISTRICT COURT.WESTERN DISTRICT OF MICHIGAN-399  
FEDERAL BUILDING-GRAND RAPIDS, MI 49503.

MR. DERRICK LEE SMITH  
#267009-3-124A  
MUSKEGON CORRECTIONAL FACILITY  
2400 S. SHERIDAN DRIVE  
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OFFICE OF THE CLERK  
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GRAND RAPIDS, MI 49503

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